HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

W.P.No.19166 of 1998

Dated 7th Day of March, 2007

Between:

Thapovan Welfare Association, rep. by its President,
M.Sangaiah, ThapovanColony, R.R. District .. Petitioner

And

The District Collector,
Lakdikapool, R.R. District
and two others ..
Respondents

O R D E R:

This writ petition is filed seeking a mandamus to declare the action of the respondents in trying to demolish the dwelling units constructed in the patta lands belonging to the members of the petitioner-Association, as arbitrary and illegal.

The brief facts of the case are that the members of the petitioner-Association purchased various plots in S.Nos.82 and 83 situated in Lingojiguda Village and S.Nos.250 to 260, 263 to 304 situated in Kharmanghat village and the petitioner-association constructed dwelling units for its members after obtaining necessary permission from competent authorities. The petitioner-association is paying necessary Municipal Tax and its members are in possession and enjoyment of their lands. Now, the grievance of the petitioner-association is that the revenue authorities, without issuing any notice or initiating any proceedings under Land Acquisition Act, are trying to demolish their dwelling units.

In spite of the fact that notices were served on the respondents, they have not filed any counter.

Having heard the learned counsel for the petitioner, whose contentions are not controverted, this Court deems it appropriate to direct the respondents not to demolish the dwelling units of the members of the petitioner-association without following the due process of law.

With the above direction, this writ petition is disposed of. No

costs.

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07.03.2007

bcj